

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

New York City District Council of Carpenters Pension Fund, New York City District Council of Carpenters Welfare Fund, New York City District Council of Carpenters Annuity Fund, and New York City District Council of Carpenters Apprenticeship, Journeyman Retraining, Educational and Industry Fund, by their Trustees, Frank Spencer, Douglas J. McCarron, John Ballantyne, Paul Tyznar, Paul O'Brien, Kevin M. O'Callaghan, Catherine Condon, David Meberg, Bryan Winter, and John DeLollis,

Plaintiffs,

-against-

Michael Forde, John Greaney, Joseph Olivieri, Brian Hayes, Michael Mitchell, Finbar O'Neill, K.A.F.C.I., Michael Brennan, Turbo Enterprises, Inc., Terence Buckley, Pitcohn Construction Enterprises, Inc., Gerard McEntee, Pyramid Associates Construction Corp., James Duffy, EMB Contracting Corp., Michael Batalias, Elisavet Batalias, Matthew Kelleher, Brian Carson, Joseph Ruocco, John Stamberger, and Michael Vivenzio,

Defendants.

Index No. 11-5474 (LBS) (GWG)

ECF Case

**AFFIDAVIT IN SUPPORT OF  
REQUEST FOR ENTRY OF  
DEFAULT**

STATE OF NEW YORK )

)

COUNTY OF NEW YORK )

ss.:

Harlan J. Silverstein, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and a member of the firm Kauff

McGuire & Margolis LLP, attorneys for plaintiffs in the above-entitled action and I am familiar with all the facts and circumstances in this action.

2. I make this affidavit pursuant to Rule 55.1 of the Civil Rules for the Southern District of New York, in support of plaintiffs' application for the entry of a default against defendant Turbo Enterprises, Inc.

3. Jurisdiction of the subject matter of this action is based on Federal Question and Supplemental Jurisdiction.

4. This action was commenced on August 5, 2011 by the filing of the Summons and Complaint. Copies of the Summons and Complaint were served on defendant Turbo Enterprises, Inc., on October 5, 2011 by personally serving two copies of the papers at the office of the New York State Secretary of State pursuant to Section 306 of the New York Business Corporation Law. Proof of service by the Process Server was filed on October 6, 2011. A First Amended Complaint and Supplemental Summons were filed on November 21, 2011. Copies of the Supplemental Summons and Amended Complaint were served on the defendant by mail to its last known addresses on November 29, 2011. Proof of service by mail was filed on November 29, 2011. An additional set of copies of the Supplemental Summons and Amended Complaint were mailed to a third address on December 19, 2011. The defendant has not appeared, answered, or moved with respect to the Complaint, or First Amended Complaint, and the time for the defendant to respond to the Complaint and First Amended Complaint has expired.

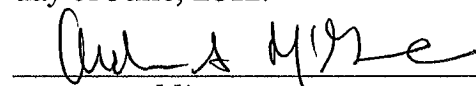
WHEREFORE, plaintiffs request the entry of Default against defendant  
Turbo Enterprises, Inc.

Dated: New York, New York  
June 1, 2012



Harlan J. Silverstein

Sworn to before me this 1st  
day of June, 2012.

  
Notary Public

AISLINN S. MCGUIRE  
Notary Public, State of New York  
No. 02MC6166260  
Qualified in New York County  
Commission Expires 05/21/2011

2011